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CENTRAL FAX CENTER****APR 30 2007****MARTIN & FERRARO, LLP**

ATTORNEYS AT LAW

1925 Century Park East, 17th Floor

Los Angeles, California 90067

Telephone
(310) 286-9800Facsimile
(310) 286-2795

FACSIMILE TRANSMITTAL

TO:Name: Mail Stop AMENDMENT
Group Art Unit 3733
Examiner Richard R. Shaffer

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/802,906

Gary K. Michelson

Filed: March 17, 2004

ORTHOPEDIC IMPLANT WITH LOCKING

ELEMENT (as amended)

Attorney Docket No. 101.0058-03000

Customer No. 22882

Confirmation No.: 5309

FROM:

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 19

Date: April 30, 2007

Confirmation Copy to Follow: No

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; the total amount of \$1,150.00 to cover the \$1,020.00 fee for a three-month extension of time and \$130.00 fee for terminal disclaimer is to be charged to Deposit Account No. 50-3726), Amendment, and Terminal Disclaimer are being facsimile transmitted to the U.S. Patent and Trademark Office on April 30, 2007.


Miyabi Grace Forker

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FORM PTO-1083

APR 30 2007

Attorney Docket No.: 101.0058-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/802,906

Filed: March 17, 2004

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Art Unit: 3733

Examiner: Richard R. Shaffer

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in reply to the Office Action dated October 31, 2006 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☒ A Terminal Disclaimer is enclosed.

The fee has been calculated as shown below:

THE FEE HAS BEEN CALCULATED AS SHOWN BELOW:							
	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	35	-	35	0	LG=\$50 SM=\$25	\$50	\$ 0
INDEPENDENT CLAIMS FEE	1	-	3	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180		\$ 0
TOTAL							\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of **\$1,150.00** to cover the \$1,020 fee for three-month extension and \$130 fee for terminal disclaimer is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: April 30, 2007

By: /Amedeo F. Ferraro/

Amedeo F. Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

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